

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOANDEPOT.COM, LLC,

Plaintiff,

-v-

CROSSCOUNTRY MORTGAGE, LLC, et al.,

Defendants.

CIVIL ACTION NO.: 22 Civ. 5971 (AS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Today, November 6, 2023, the Court held a telephonic discovery conference (the “Conference”) to discuss the issues raised in the letter-motion of Defendant CrossCountry Mortgage, LLC (“CC”) (ECF No. 412), the response letter of Plaintiff loanDepot.com, LLC (“LD”) (ECF No. 414), and CC’s reply letter (ECF No. 416-1). As discussed at the Conference, the Court orders as follows:

1. The Court’s prior Order at ECF No. 337 (the “Apr. 22 Order”) is MODIFIED, as follows:
 - a. With respect to paragraphs 3–4, LD’s obligations shall be limited to searching for and producing responsive text messages and personal emails of Chad Ulmer (“Ulmer”) and Christopher Vondra (“Vondra”) only.
 - b. With respect to paragraph 5, LD shall produce a Fed. R. Civ. P. 30(b)(6) witness to address topics 5–7 of CC’s Amended and Restated (and/or Supplemental) Notice of Rule 30(b)(6) Deposition of Plaintiff loanDepot.com, LLC (ECF No. 330-2).

- c. CC may also depose one of Ulmer, Vondra, or Steve Rennie, limited to two hours of on-the-record time. Based on LD's representation at the Conference that Ulmer and Vondra are no longer employed by LD, in the event that CC chooses to depose Ulmer or Vondra, CC shall serve a deposition subpoena pursuant to Fed. R. Civ. P. 45.
- d. All other terms of the Apr. 22 Order remain in effect.
2. This case is currently stayed. (See ECF No. 387). Accordingly, the discovery obligations set forth in the preceding paragraph and its subparts shall only be triggered at such time as the stay is lifted by the Honorable Arun Subramanian.
3. Within **one week** of the stay being lifted, the parties shall file a joint status letter on the docket providing a proposed schedule for the completion of fact and expert discovery.
4. The parties shall order a transcript of the Conference and file it on the docket. The parties shall submit a single request to: etranscripts@nysd.uscourts.gov by **November 7, 2023**, and shall select the "7 Day" option for service.

Dated: New York, New York
November 6, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge

Request for the production of a transcript from an electronic recording

Send one request per completed form to:

etranscripts@nysd.uscourts.gov

Transcripts from an electronic record are generated by a Court Approved Transcriber, NOT the Southern District Court Reporters. The transcript will be delivered to your office and you will be invoiced directly by the transcriber. Submission of this form constitutes an agreement to pay for the transcription services described herein. This form should not be submitted for the purpose of obtaining a price estimate.

NOTE: CJA requests require prior approval by submitting an Auth-24 document in the CJA eVoucher System. If granted, the attorney then submits the etranscripts order form (indicate CJA Request). Upon notification from the transcriber, the attorney will create a CJA 24 Voucher in the eVoucher system.

Today's Date: _____

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